

# Monitoring inspections of schools that are subject to special measures

Guidance for inspecting schools that are subject to special measures under section 8 of the Education Act 2005

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This guidance sets out the judgements that inspectors make and report on during monitoring inspections of schools that are subject to special measures. It indicates the main activities that need to be undertaken from the time the school is notified of the monitoring inspection until publication of the letter to the school.

This guidance does not apply to schools that were judged to require special measures and which have received at least one monitoring inspection prior to September 2012. These schools will be subject to legacy arrangements.

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## Introduction

1. Schools are made subject to special measures under section 44(1) of the Education Act 2005, where the Chief Inspector is of the opinion that:

'....the school is failing to give its pupils an acceptable standard of education, and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement in the school.'<sup>1</sup>
2. Monitoring inspections of schools placed in special measures are carried out under section 8 of the Education Act 2005, but Her Majesty's Chief Inspector (HMCI) may elect to treat them as section 5 inspections using his powers under section 9 of the Act. These monitoring arrangements do not prejudice the Chief Inspector's power under section 8(2) of the Education Act 2005 to 'inspect any school in England in circumstances where he is not required to do so by section 5...' of the Act.
3. This guidance sets out the judgements that inspectors make and report on during monitoring inspections of schools that are subject to special measures. It indicates the main activities that need to be undertaken from the time the school is notified of the monitoring inspection until publication of the letter to the school.
4. This guidance does not apply to schools that were judged to require special measures **and** which have received at least one monitoring inspection prior to September 2012. These schools will be subject to legacy arrangements<sup>2</sup>.
5. Further general guidance, briefing papers on school inspections and other materials are available on Ofsted's website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk).
6. All monitoring inspections are carried out in accordance with the principles and code of conduct for inspectors set out in *The framework for school inspection*.<sup>3</sup> In conducting the monitoring inspection inspectors will follow the methodology and protocols set out in the *School inspection handbook*<sup>4</sup>.
7. Schools placed in special measures are not required to prepare a separate action plan but are expected to amend their existing plans to address the areas for improvement identified by the section 5 inspection.

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<sup>1</sup> Education Act 2005, s44(1) <http://www.legislation.gov.uk/ukpga/2005/18/contents>.

<sup>2</sup> <http://www.ofsted.gov.uk/resources/090272>.

<sup>3</sup> *The framework for school inspection*, Ofsted, 2013; [www.ofsted.gov.uk/resources/090019](http://www.ofsted.gov.uk/resources/090019).

<sup>4</sup> *School inspection handbook*, Ofsted, 2013; [www.ofsted.gov.uk/resources/120101](http://www.ofsted.gov.uk/resources/120101).

8. The local authority<sup>5</sup>, proprietor or sponsor<sup>6</sup> must submit a statement and a plan of action to HMCI within 10 working days of the school receiving the inspection report. One of Her Majesty's Inspectors (HMI) will usually conduct the first monitoring inspection within four to six weeks of the publication of the inspection report. During this one day inspection, the inspector will meet with the headteacher, the chair of the governing body and a further representative from the local authority, proprietor or sponsor to discuss the implementation of the statement of action and the school's improvement plan and to determine whether these are fit for purpose. Where any change of staffing has taken place since the previous inspection, a review of the single central register will take place. The inspector will also outline the likely pattern of future monitoring inspections.
9. Inspectors are required to make a judgement about whether the school should be permitted to employ newly qualified teachers. If a school wishes to appoint newly qualified teachers before the first monitoring inspection it must first seek approval in writing with supporting reasons. This requirement does not apply to academies that are judged to require special measures. However, the lead inspector should either report in the monitoring letter that in his/her opinion the academy may appoint NQTs, or, recommend that the academy should not seek to appoint NQTs.
10. A school may receive up to five monitoring inspections over the 18 months following the section 5 inspection that placed it in special measures.
11. On the second and subsequent monitoring inspection onwards, the lead inspector will consider whether the school has made sufficient progress for special measures to be removed. Where this is the case, the section 8 inspection will be deemed a section 5 inspection. All the judgements required by the evaluation schedule will be made and a full inspection report produced.
12. If, after a programme of monitoring lasting around 18 months, special measures have not been removed, the school must be reinspected under section 5 of the Education Act 2005.
13. If the progress of a school towards removal of special measures is judged to be insufficient after a year, the Secretary of State for Education may require the local authority or sponsor to examine carefully the options available to it. It is therefore essential that, when a school has been in special measures for a year, Ofsted is able to report substantively on the school's overall progress since being made subject to special measures.

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<sup>5</sup> Ss.15(2)(d) and 15(2)(e) Education Act 2005:  
<http://www.legislation.gov.uk/ukpga/2005/18/section/15>.

<sup>6</sup> Ss. 17(1A)(d) and 17(3)(a) Education Act 2005:  
<http://www.legislation.gov.uk/ukpga/2005/18/section/17>.

## Staffing inspections

14. The HMI who carries out the first monitoring inspection of a school made subject to special measures will normally perform this role throughout the period that the school is monitored.
15. If following reinspection (see also paragraph 11), the school is deemed to still require special measures a new lead inspector will manage a further programme of monitoring activity.
16. Each school is allocated an overall number of inspector days related to the size of the school. The lead inspector should use the tariff flexibly to meet the priorities for each monitoring inspection. If the areas for improvement and/or the school context are very complex, the relevant Senior HMI may consider an increase in the tariff. Lead inspectors should discuss their considerations about flexible use of tariff with the relevant Senior HMI.
17. Where a school that is subject to special measures has residential or boarding provision, a social care inspector will be allocated as a team member to the first monitoring inspection and, if necessary, to subsequent monitoring inspections, which will include the inspection of any national minimum standards that have not been met. The inclusion of a social care team inspector would only occur where boarding or residential provision was identified as an area for improvement at the last inspection<sup>7</sup>.

## Before the inspection

### Notification

18. At the **first** monitoring inspection, the lead inspector will normally inform the school up to two working days in advance of the inspection. This is to allow the relevant strategic partners (local authority, proprietor or sponsor) to be present for discussion about support for the school and the likely pattern of monitoring. It will also enable as many members of the governing body as possible to attend the inspection feedback.
19. If the headteacher is unavailable, the lead inspector should ask to speak to the next most senior member of staff. Once the inspection has been confirmed the lead inspector will inform the Inspection Service Provider (ISP), who will send formal confirmation to the school by email.

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<sup>7</sup> Further guidance for education and social care inspectors on conducting integrated monitoring inspections is available in *Conducting additional inspections of independent schools* (090060), Ofsted, 2013; [www.ofsted.gov.uk/resources/090060](http://www.ofsted.gov.uk/resources/090060).

20. **Requests for a deferral** will be handled in accordance with Ofsted's policy about the deferral of inspections<sup>8</sup>. Lead inspectors must immediately contact the helpdesk. The deferral policy makes clear that the absence of the headteacher is not normally a reason for deferring an inspection.
21. The purpose of the telephone call announcing the inspection is for the lead inspector to:
  - confirm the date of the inspection and remind the school that the monitoring letter will be published on Ofsted's website
  - explain that the inspection is carried out under section 8 of the Education Act 2005
  - confirm that the school is able to inform the governing body that the monitoring inspection is taking place
  - make sure that the headteacher understands the purpose and focus of the inspection and the judgements that will be made
  - indicate the likely format of the inspection and the activities to be conducted (see paragraph 29)
  - ensure the school is aware of the specific requirement of the first monitoring inspection to meet with representatives of the governing body and the local authority, proprietor or sponsor and to feed back to as many governors as possible at the end of the inspection.
22. At the **second and subsequent** monitoring inspections, the lead inspector will normally inform the school, that it is to be inspected, from noon on the working day before the inspection is due to start. Lead inspectors should be aware that they may not get through to the school immediately. They should reserve sufficient time to ensure that they make direct contact during the afternoon. Refer to paragraphs 19-21 for the purpose of the call.
23. In outlining the inspection arrangements, the lead inspector should:
  - explain that the principles for engagement with senior staff set out in the *School inspection handbook* will be applied where possible, but that the lead inspector has the discretion to manage this in the way s/he feels is most appropriate
  - agree with the headteacher the approach to feedback on lesson observations

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<sup>8</sup> <http://www.ofsted.gov.uk/resources/deferral-of-inspections-information-for-schools>.

- ascertain whether there are particular reasons why any teachers should not be observed, for example if they are subject to informal or formal capability procedures where the use of observations by Ofsted may compromise those procedures
  - ensure that the headteacher is aware that Ofsted's evidence from lesson observations, whether joint or otherwise, should not be used as evidence in competency/disciplinary proceedings, or for the purposes of performance management.
24. At the second or subsequent monitoring inspections, inspectors should also request during the phone call that the following information is made available at the start of the inspection:
- school timetable information, staff list and times for the school day
  - any information about any pre-planned interruption to the school's normal routines
  - the single central record, which summarises the checks and vetting of all staff working with pupils
  - all logs that record exclusions, pupils taken off roll, incidents of poor behaviour, racist incidents and incidents of bullying
  - information about pupils placed in alternative provision
  - up-to-date attendance information
  - the current school improvement plan and any evaluation of the impact of actions taken to date
  - recent data on attainment and progress
  - records of any routine monitoring of the quality of teaching
  - information about the findings and use made of performance management arrangements including information about the most recent performance management outcomes - this should be in an anonymised format
  - evidence of the work of governors<sup>9</sup> and their impact
  - reports of any external evaluation of the school.
25. The telephone call should also provide the headteacher with an opportunity to highlight the progress that the school has made since the previous section 5 inspection or previous monitoring inspection, and to provide any new contextual information. Key points arising from the telephone call should be noted on an evidence form. Inspectors should be mindful that the headteacher

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<sup>9</sup> 'Governors' refers to those responsible for governance in the school. They may be part of the school's local board, committee or governing body.

will need to accommodate the inspection at short notice while still managing the day-to-day operation of the school.

## During the inspection

26. Monitoring inspections should focus on the most important areas for improvement identified in the section 5 inspection that placed the school in special measures. They will reflect the issues raised by the pre-inspection preparation and the telephone discussion with the headteacher. The focus may shift as new evidence becomes available or other issues emerge.

### The first monitoring inspection

27. The first monitoring inspection will last for up to one day and will be conducted by one of Her Majesty's Inspectors (HMI). There will be no preparation requirement and a brief letter will be drafted at the school. HMI should plan to arrive at the school no earlier than 09.00 on the day of the inspection, following the arrangements agreed with the school during the telephone conversation that announced the inspection.
28. The purpose of the first monitoring inspection is to:
  - gauge the school's initial response to being judged as requiring special measures and how well it is placed to achieve rapid improvement
  - test that the school's actions are rigorously focused on tackling the key areas for improvement identified in the section 5 inspection
  - evaluate how effectively the school is adapting its existing school development or improvement plans to meet the challenges of moving rapidly out of special measures
  - evaluate the impact that governors at the school are having on bringing about necessary improvements – inspectors will take account of the section 5 guidance on assessing and reporting on the effectiveness of governance at the school
  - review the statement of action
  - determine whether the school may appoint newly qualified teachers
  - offer guidance to the school and other partners to sharpen, if necessary, the effectiveness of improvement planning.
  - check the single central register if staffing has changed since a previous inspection and/or weaknesses in safeguarding arrangements were identified at the section 5 inspection that judged the school to require special measures.
29. The structure of the day will usually be as follows:

- meeting with the headteacher/deputy headteacher or other senior leader(s), the chair of the governing body and representatives from the local authority, proprietor or sponsor. This meeting should focus on actions taken so far to tackle the reasons the school is causing concern
  - evaluation of the LA statement of action and any changes to the school's improvement/development plan
  - separate meetings with representatives of the local authority, proprietor or sponsor; the chair of the governing body and the headteacher/deputy headteacher or other senior leader(s)
  - time to allow the lead inspector to reflect and draft the inspection letter
  - final meeting with key stakeholders including as many governors as possible.
30. If the statement of action or the school's improvement plan are judged to be not fit for purpose, the local authority, proprietor or sponsor will be informed and will be asked to address the weaknesses urgently and have the revised version ready for the second monitoring inspection. In this case, the lead inspector will re-evaluate and report on the revised statement of action and/or the school's improvement plan during the second monitoring inspection.

## **The second and subsequent monitoring inspections**

### **Planning the inspection**

31. The lead inspector may prepare and distribute brief joining instructions to any team inspector(s) which could include:
- essential information about the school and the timings and domestic arrangements for the inspection
  - details of the main focus of the monitoring inspection and the key issues that the team will explore
  - provisional allocation of specific subjects, year groups and areas of the school's work for team inspectors to observe and investigate.
32. The main focus of the inspection and the key issues the team will explore must always be shared with the headteacher during the initial meeting at the start of the inspection.

### **At the start of the monitoring inspection**

33. The lead inspector should meet briefly with the headteacher and/or senior leadership team at the beginning of the inspection to:
- introduce any team inspectors

- make arrangements for a longer meeting at a convenient time with the headteacher to discuss the school's self-evaluation and other relevant matters
  - confirm arrangements for meetings with representatives of those responsible for the governance of the school and key staff
  - confirm arrangements for providing feedback after any lesson observations
  - request information about staff absence and other practical issues
  - ascertain whether there are particular reasons why any teachers should not be observed, for example if they are subject to capability procedures
  - ensure that the headteacher is aware that Ofsted's evidence from lesson observations, whether joint or otherwise, should not be used as evidence in capability/disciplinary proceedings or for the purposes of performance management
  - ensure that the inspection activity starts promptly. Inspectors must show their identity badges on arrival and ensure that the headteacher has been informed of their arrival.
34. Inspection activities during the second and subsequent monitoring inspections will be shaped by the lead inspector's judgements about the progress made by the school. The activities carried out during monitoring inspections are similar to those in section 5 inspections although the emphasis will depend on the circumstances of the school and its improvement priorities. These may involve: lesson observations; analysis of pupils' work; scrutiny of school records and documentation; discussions with staff, pupils, governors and, where appropriate, representatives of external strategic partners, such as the local authority, proprietor or sponsor.
35. Inspectors should take account of the following.
- **Contextual matters** including any significant changes to staffing, the pupil population and the school's status, for example if the school becomes part of a federation.
  - **Achievement of pupils at the school:** taking account of their attainment and the quality of learning and progress for all pupils, including disabled pupils and those with special educational needs in line with *the School inspection handbook* and the Subsidiary guidance, and how well the school is narrowing the attainment gap.
    - Inspectors should consider first-hand evidence, which must include a sample of lesson observations and school data for different groups of pupils and, where appropriate, recent test and examination results. Reference should be made to the challenge and impact of the school's targets.
    - Inspectors will need to place particular emphasis on current attainment and progress indicators, particularly when no new national data have been

published since the previous monitoring inspection. However, it is important to avoid speculation on likely future test and examination results.

- The school's success or otherwise in overcoming the causes of special measures, such as improving the quality of teaching, behaviour and safety and pupils' progress and attainment in lessons, will make a significant contribution to the judgement about whether achievement is improving and to what degree.
  - For schools where attainment falls below the government's current floor standard, inspectors should consider the appropriateness of specific strategies being used by the school to meet such targets, including the impact of any external support.
  - Inspectors should judge the accuracy and reliability of the school's own data, for example, assessments of pupils' attainment and progress, which should be considered alongside other evidence such as that gathered by talking to pupils and sampling their work.
- **The quality of teaching** with particular emphasis on: how this promotes better learning and improved progress over time; the use of assessment; and the impact of teaching on pupils' social, moral, spiritual and cultural development.
- **The behaviour and safety of pupils** with particular reference to: improvement in pupils' attitudes, conduct and behaviour; improved management of behaviour; how well pupils adopt safe practices; and pupils' attendance and punctuality.
- **The quality of leadership in and management of the school** including: the growing impact of leaders and managers at all levels, including that of the governing body, on school improvement and the school's capacity for sustained improvement.
- Inspectors should assess the rigour and accuracy of the school's self-evaluation, including its assessment about the quality of teaching and learning.
  - The work of the governing body should be evaluated with respect to the improving contribution that it makes to leadership and management, and its impact on the school's performance.
  - Inspectors should consider whether the school's leaders can demonstrate convincingly that the school's capacity to improve is strengthening. It is important that the school's leaders are having a significant impact on all of its areas of weakness and are able to sustain this improvement without an over-reliance on external support.
  - There should be clear evidence that leaders and managers are having an impact on accelerating learners' progress and thereby raising attainment, particularly in schools where attainment is low.

36. Inspectors must check the single central register during monitoring inspections, if there have been changes to staffing since the previous inspection and/or if weaknesses in safeguarding arrangements were identified at the time of the section 5 inspection which judged the school to require special measures. If it becomes clear that there are inadequacies in care, child protection or health and safety, they **must** be reported and may influence the timing of the next monitoring inspection or the reinspection of the school, and have an impact on the judgement about the overall progress made by the school.
37. When the monitoring inspection indicates that safeguarding arrangements do not meet statutory requirements, inspectors must call the SCC QA helpdesk to log their concern and email the relevant Senior HMI. Inspectors need to take account of the following.
  - If safeguarding **was** identified as an area for improvement in the previous inspection, then it is very likely that the school will be judged to not be making enough progress towards the removal of special measures.
  - If safeguarding was **not** previously an area for improvement, this may nonetheless affect the judgement about the overall progress made by the school. For example, inadequate safeguarding arrangements may be indicative of more general weaknesses in leadership and governance. In these circumstances inspectors will need to exercise professional judgement in reaching a view about the overall progress made by the school.
  - The Senior HMI may opt for one of the following:
    - an early unannounced monitoring inspection to check safeguarding requirements
    - bringing forward the next planned monitoring inspection of the school
    - scheduling an immediate inspection of the school under section 8 of the Education Act 2005.
  - In making this decision, the Senior HMI will liaise with the relevant Regional Director and take account of:
    - whether or not safeguarding has previously been judged to be inadequate
    - the nature and seriousness of the weaknesses in safeguarding
    - the wider performance of the school in terms of the progress it has made in dealing with areas for improvement and building a capacity for sustained improvement
    - the likely impact of any further inspection.
  - Whenever safeguarding arrangements are found to not meet statutory requirements on **two or more occasions** the relevant Regional Director will, with the agreement of HMCI, seek an urgent discussion with the local authority or the DfE, as appropriate, to clarify the actions necessary to

ensure that pupils are safe. It is, however, for the school, its governing body and the local authority or the Department for Education (DfE) to take such actions.

38. Where a monitoring inspection identifies significant concerns about aspects of the school's performance that were not identified in the previous section 5 inspection or any earlier monitoring inspections, these must be considered by inspectors and will affect the judgement about the progress made by the school.
39. Inspectors are expected to be flexible about how the inspection proceeds depending on the school's circumstances. Inspectors may wish to consider the following.
  - In a small school (where the headteacher may have a teaching commitment), inspectors may start the inspection with a brief discussion with the headteacher, followed by lesson observations and further discussions with the headteacher at a convenient time.
  - Discussions with the headteacher may also take place during a brief tour of the school, which will also enable inspectors to gain a better understanding of its context and ethos.
  - Where necessary, inspectors may conduct telephone interviews with governors, local authority personnel or the academy sponsor and parents if face-to-face meetings are not feasible.
  - Depending on the focus of the inspection, inspectors may wish to examine additional documentation, including, for example:
    - recent data on attainment and progress
    - reports or action plans from the local authority
    - reports from significant external partners
    - governing body minutes – particularly when, for example, a separate committee has been established to oversee progress on the areas for improvement
    - analysis of aspects of pupils' work that are closely related to the areas for improvement, for example, evaluations of improvements in writing or the use of targets for pupils
    - behaviour records and policies that relate to these, including data on exclusions.
40. Lead inspectors should aim to strike a balance between avoiding lengthy team meetings and providing sufficient opportunities for inspectors to discuss emerging inspection judgements. They may wish to consider:
  - a very short team meeting at the start of the first day to clarify roles and responsibilities and the main focus of the monitoring inspection

- a brief 'catch-up' session in the middle part of the first day to identify any unanticipated issues and reshape the inspection if necessary
  - a meeting at the end of the first day (where the inspection extends over two days) to establish preliminary views on the progress made by the school and the priorities for improvement.
41. The school should have opportunities to substantiate its views about the progress it has made since the previous section 5 inspection or monitoring inspection. In setting up inspection activities the lead inspector should indicate to the school what needs to be tested and ask the school to suggest the best ways of finding the necessary evidence.
42. During the second and subsequent monitoring inspections, inspectors are required to evaluate the school's progress towards the removal of special measures. Inspectors will make an overarching judgement on whether:
- the school is making reasonable progress towards the removal of special measures*
- or
- the school is not making enough progress towards the removal of special measures.*
43. While, generally, this judgement will be informed by the school's progress in dealing with each of the areas for improvement identified by the section 5 inspection, other factors which arise during the monitoring period must not be ignored.
44. Inspectors should make the key judgement about the school's overall progress towards the removal of special measures by considering the full range of evidence they have gathered and using their professional judgement. The crucial factor is the anticipated timescale for the removal of special measures given the current rate of improvement. A school which is making reasonable progress will be on course to have special measures removed within the 18-month monitoring period following the inspection which placed the school in special measures. A school which is not making enough progress will be likely to still require special measures when the section 5 reinspection takes place (see also paragraphs 11 and 12).
45. Inspectors should take account of the factors set out in paragraph 35 when evaluating the school's progress. However, in deciding where to place the emphasis for each monitoring inspection and how much of the evaluation schedule to report on, lead inspectors should use their judgement in the light of the particular circumstances of the school, the improvement priorities identified by the previous section 5 inspection and the progress already made.
46. At the final meeting, the inspection team must:

- judge the progress the school is making towards the removal of special measures, weighing the progress made against the areas for improvement identified during the section 5 inspection which placed the school in special measures
- decide whether the school should be permitted to appoint newly qualified teachers (see paragraphs 52 to 54).

### **The views of pupils, parents and other stakeholders**

47. Inspectors may talk with pupils during lessons, break and lunchtimes and, where appropriate, meet with pupils to discuss issues relating to the school's areas for improvement.
48. There is no requirement for schools to inform parents about monitoring inspections. However, headteachers should be encouraged to let parents know about these inspections and their outcomes. Monitoring letters and reports will be published on Ofsted's website. It is the duty of the governing body, proprietor or sponsor to keep parents informed about the progress the school is making.
49. Parents' comments received by Ofsted and/or parents' views received through Parent View will be made available to inspectors. At an appropriate point during the monitoring inspection the lead inspector may consult parents on their views about the school by, for example, meeting a representative group of parents. Inspectors may also take account of the views of parents gathered by the school as part of its own evaluation of its work, and refer to those views in the monitoring report.

### **Evaluating external support**

50. Inspectors may meet with representatives of external partners, giving particular emphasis to the work of the local authority, proprietor or sponsor and evaluate the impact of the support provided.
51. The judgement made by inspectors about the quality of the local authority's/proprietor's/sponsor's statement of action and the school's improvement plan must be reported in the first monitoring inspection letter. On subsequent inspections, inspectors will also report on the impact of the local authority's, proprietor's or sponsor's support for the school.

### **Newly qualified teachers**

52. The lead inspector of the section 5 inspection that made the school subject to special measures will have made a judgement about the appointment of newly qualified teachers. In the case of an academy made subject to special measures the lead inspector should either make a recommendation on whether the academy may appoint NQTs, or, recommend that the academy should not seek to appoint NQTs. During the first monitoring inspection, the lead inspector will

determine whether the school should be permitted to appoint newly qualified teachers and this decision should be reported in the monitoring letter. On subsequent monitoring inspections, the lead inspector should review the judgement made on the first inspection in the light of the progress made by the school, and confirm the permission or revise it. If the school is an academy then the lead inspector will review the recommendation about NQT appointments and report accordingly.

53. If a school has been permitted to appoint newly qualified teachers prior to the first monitoring inspection (see paragraph 9), the lead inspector should determine whether the school should continue to be permitted to appoint newly qualified teachers.
54. Ofsted inspectors are not empowered to make judgements about whether schools should or should not appoint trainee teachers on employment-based training programmes.

### **Registered provision for birth to three-year-olds**

55. Ofsted inspects and reports on any registered provision managed by the governing body separately from the section 5 inspection, although in some cases the inspections may take place at the same time. If the registered provision is judged to be inadequate, it will be monitored and resinspected in line with the requirements for inspections of registered early years provision.

### **Removal of special measures**

56. At the second and subsequent monitoring inspections the lead inspector should consider whether the school continues to require special measures. While the decision rests with the inspection team, it is likely that the lead inspector will discuss this with the headteacher, chair of the governing body and local authority or academy proprietor/sponsor.
57. Whatever the outcome, the lead inspector should explain clearly the reasons for the decision to remove or not to remove special measures during the feedback at the end of the inspection.
58. The judgement that special measures are no longer required may involve reference to evidence from previous monitoring inspections as well as the current inspection. In deciding whether special measures are no longer required, inspectors must consider several factors. The factors influencing these decisions vary significantly between schools and the final decision is determined by the lead inspector's professional judgement about what is best for the pupils attending the school. These factors include:
  - the best interests of the pupils – this is paramount

- the school's ability to demonstrate that it meets the needs of all pupils and has the capacity for sustained improvement – this determines the timing of removal of special measures
  - the extent to which capacity for sustained improvement has been demonstrated by leaders and managers at all levels, rather than through an over-reliance on external support or on one or two individuals in the school
  - the overall rate of improvement – some schools may not be making enough progress for the removal of special measures before the reinspection.
59. When special measures are removed, the lead inspector **must on the final day of the inspection notify the schools causing concern duty HMI at the helpdesk** to log the necessary details. Calls should be made to the helpline on 0300 123 4234 and lead inspectors should ask to be transferred to the schools causing concern duty HMI.

## After the inspection

### Oral feedback at the end of the monitoring inspection

60. The school should receive oral feedback at the end of the inspection, typically towards the end of the second day of a two-day inspection. The whole inspection team should attend and will normally contribute to the feedback. It is the responsibility of the lead inspector to manage the meeting.
61. At the end of the first monitoring inspection, the inspector will give oral feedback on the fitness for purpose of the statement of action and the school's improvement plan as well as making a judgement about whether the school should be permitted to employ newly qualified teachers.
62. At the end of the second and subsequent monitoring inspections, oral feedback at the end of the inspection must:
- report the range of evidence gathered
  - include the judgement made about progress towards the removal of special measures, describing the progress made against each of the areas for improvement identified during the section 5 inspection which placed the school in special measures
  - comment on the impact of external support on school improvement
  - clarify whether the school may appoint newly qualified teachers
  - make clear that the text of the letter or report may differ slightly from the oral feedback, but that the judgements will not change.
63. The lead inspector may indicate the main focus of the next monitoring inspection derived from the inspection findings.

64. Inspectors should identify additional priorities **only where they are essential** to the school's further development. Progress against these priorities has to be evaluated and reported at the next monitoring inspection. They are not to be added to the list of judgements to be made as set out in the annex to the covering letter. Any new priorities should help the school focus on what needs to be done next to improve the quality of education.
65. The feedback should normally be attended by:
  - the headteacher
  - the chair of the governing body or equivalent (and all governors for the first monitoring inspection)
  - a representative from the local authority or the academy proprietor or sponsor, as appropriate
  - a representative from the diocese, for voluntary aided and voluntary controlled schools
  - key external partners.
66. The lead inspector and headteacher should discuss which other members of staff, if any, will attend the feedback, especially if the feedback is challenging or raises sensitive issues.
67. Where the inspection team has reached the judgement that special measures are no longer required, the oral feedback and written report should include the formal statement that:

'In accordance with section 13(4) of the Education Act 2005, Her Majesty's Chief Inspector is of the opinion that the school no longer requires special measures'.

This judgement is not subject to moderation and is, therefore, not confidential. Where special measures are removed, a full section 5 report must be written.

## The monitoring inspection letter and report

68. For the first monitoring inspection, the school will receive a brief letter, which will be published on the Ofsted website, containing the judgements relating to the fitness for purpose of the statement of action and of the school's improvement plan, and the judgement about whether the school may appoint newly qualified teachers.
69. For the second and subsequent inspections, the school will receive a brief covering letter with the judgements included and a detailed monitoring report, which will be published on the Ofsted website.

70. Before writing the letter and report the lead inspector should note the guidance in the paragraphs below and also take account of the specific guidance provided in the template and the Ofsted style guide.
71. In the monitoring report, lead inspectors should make professional judgements about the extent of the detail needed to explain clearly the progress made by the school, depending on the complexity of circumstances. The content must be clear, concise and securely based on evidence. Judgements should be written to provide sufficient detail to enable the school to understand clearly what should be done next.
72. When a monitoring inspection focuses on only one or two aspects of provision, this should be explained in the evidence section.
73. The monitoring letter for the first monitoring inspection must include:
  - a judgement on the fitness for purpose of the statement of action and of the school's improvement plan
  - a judgement about whether the school should be permitted to employ newly qualified teachers.
74. The monitoring letter and report for the second and subsequent inspections must include:
  - the judgement about progress towards the removal of special measures
  - a sentence clarifying whether the school may appoint NQTs.
  - a summary of the evidence gathered by inspectors
  - a brief summary of any significant changes to the context of the school
  - text evaluating the progress made by the school in tackling the key areas for improvement under the relevant headings:
    - achievement of pupils at the school
    - the quality of teaching
    - behaviour and safety of pupils
    - the quality of leadership in and management of the school, with specific reference to the impact that governors at the school are having on bringing about necessary improvements
  - a judgement on the quality and impact of external support, including a judgement on the quality of the local authority's /proprietor's/sponsor's revised action plan if it was judged 'not fit for purpose' at the first monitoring inspection.
75. It is quite likely that areas for improvement from the section 5 inspection will consist of a main stem followed by one or more subsidiary bullet points. Inspectors should write about each main area for improvement and illustrate or

exemplify how progress has or has not been achieved by reference to the relevant subsidiary bullet points.

76. Progress made on additional priorities for further improvement, identified in previous monitoring inspections, should be reported in the text of the next monitoring letter. They should not be added within the annex as bullet points alongside the original areas for improvement.
77. Completed letters and reports should be sent as one document and given the following file name: D school name, visit number (1 = first visit, 2= second...) SM: (that is D Schoolname 2 SM) and loaded onto the relevant ISP portal within one working day of the end of the inspection.
78. The arrangements for publication of letters and reports are as follows.
  - The lead inspector will complete the letter and monitoring report the day after the inspection and send these to the appropriate inspection service provider by 09.00 on the second working day following the end of the inspection.
  - The inspection service provider will edit and send the letter and monitoring report to the school normally within five working days of the end of the inspection.
  - The school has 24 hours to check and report any factual inaccuracies to the inspection service provider.
  - The inspection service provider will prepare a final version of the letter and monitoring report which will be sent to the:
    - headteacher
    - Secretary of State for Education
    - chair of the governing body or interim executive board or proprietor as appropriate
    - local authority, or academy proprietor or sponsor
    - diocese, for voluntary aided and voluntary controlled schools
    - Education Funding Agency (EFA), for secondary schools with a sixth form
    - DfE Academies Advisers Unit, for academies
    - person or body responsible for appointing foundation governors if the school has a foundation
    - lead inspector.
79. When it is judged that the school no longer requires special measures, the section 8 monitoring inspection is deemed to be a section 5 inspection. A full inspection report must be written and published in accordance with relevant guidance on section 5 inspections.

80. The front cover of the report must include the statement:

'This inspection was carried out under section 8 of the Education Act 2005 which gives Her Majesty's Chief Inspector of Education, Children's Services and Skills (HMCI) the authority to cause any school to be inspected. The inspection was also deemed a section 5 inspection under the same Act.'

81. The introduction to the report should explain why the school was inspected. For example:

'When XXXX School was inspected in XX 200X, it was judged to require special measures. Subsequently, the school was inspected on xxx occasions.'

82. A report that removes special measures should include the following statement in accordance with the section 5 template guidance.

'In accordance with section 13 (4) of the Education Act 2005, Her Majesty's Chief Inspector is of the opinion that the school no longer requires special measures'.

## **Record of the inspection: The evidence base**

83. The record of evidence does not include the joining instructions.
84. Lead inspectors may retain copies of inspection evidence until special measures have been removed, but must do so in line with Ofsted's information assurance policy and procedures. Evidence forms should be sent to the ISP as soon as possible after the end of each monitoring inspection. ISPs will retain and/or destroy evidence in accordance with Ofsted's policy.